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*Attorneys for Defendant,
Alaska Airlines, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

MODERN FONT APPLICATIONS LLC, a
Utah limited liability company,

Plaintiff,

v.

ALASKA AIRLINES, INC., an Alaska
corporation,

Defendant.

**JOINT STATUS REPORT
PURSUANT TO MARCH 23, 2021
ORDER STAYING DEADLINES**

Case No. 2:19-cv-00561-DBB-CMR

Judge David B. Barlow
Magistrate Judge Cecilia M. Romero

Plaintiff Modern Font Applications LLC (“MFA” or “Plaintiff”) and Defendant Alaska Airlines, Inc. (“Alaska” or “Defendant”) hereby jointly submit this Status Report pursuant to the March 23, 2021 Order Staying Deadlines.

On March 23, 2021, the Court issued an Order Staying Deadlines (ECF No. 124) granting a stipulated motion regarding the same. Pursuant to the Order, this case is currently “stayed for a period of 90 days or until June 18, 2021” The Order further required the parties to this case “to submit a joint status report no later than June 18, 2021 or within 15 days of the Federal Circuit issuing a decision on Plaintiff’s petition for mandamus informing the court as to the status of the case and ability to proceed.”

Accordingly, the parties hereby report on the status of Federal Circuit proceedings and matters relating these District Court proceedings.

On April 1, 2021, Plaintiff filed a Notice of Appeal pursuant to the collateral order doctrine with respect to the Orders at ECF Nos. 120 and 122.

Also on April 1, 2021, Plaintiff filed a Petition for Writ of Mandamus with the Federal Circuit Court of Appeals regarding the Court’s order for production of settlement agreements. Briefing on the Petition was complete by April 12, 2021.

On May 5, 2021, the Federal Circuit denied the Petition for Writ of Mandamus.

On May 11, 2021, Plaintiff produced settlement agreements pursuant to the Court’s Order at ECF No. 120 in view of the Federal Circuit’s denial of Plaintiff’s Petition for Writ of Mandamus.

Plaintiff’s opening appeal brief regarding the other contested issues remaining from the Orders at ECF Nos. 120 and 122 is due by June 11, 2021.

The parties recently resumed discussions regarding settlement.

In view the impending appeal, Plaintiff believes that the Court should maintain the stay in place pending a decision on the appeal by the Federal Circuit and pending settlement discussions. Accordingly, Plaintiff will be filing a separate motion requesting the stay continue until the Federal Circuit renders a decision on Plaintiff’s appeal.

Defendant opposes Plaintiff's request to maintain the stay. In view of the Federal Circuit's denial of Plaintiff's Petition for Writ of Mandamus and Plaintiff's production of the subject settlement agreements, there is no longer a reason for this case to be stayed. Accordingly, Defendant respectfully requests that the stay be lifted.

Dated: May 18, 2021

Respectfully submitted,

JOHNSON & MARTIN, P.A.

By: /s/ Perry S. Clegg

Perry S. Clegg
Attorneys for Plaintiff,
Modern Font Applications LLC

Dated: May 18, 2021

NIXON PEABODY LLP

By: /s/ Shawn Hansen

Shawn Hansen
Attorneys for Defendant,
Alaska Airlines, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2021, I electronically filed the foregoing and attached documents with the clerk of the court for the U.S. District Court for the District of Utah, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of the document(s) by electronic means.

/s/ Perry S. Clegg

Perry S. Clegg